

# **Status and Enforcement of EPAct State and Fuel Provider Rule**

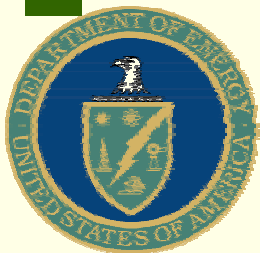
**7<sup>th</sup> National Clean Cities Conference  
and Expo**

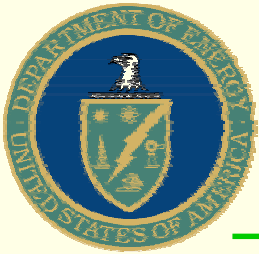
**May 14, 2001**

**Dana O'Hara  
Program Manager**

**Office of Technology Utilization  
U.S. Department of Energy**

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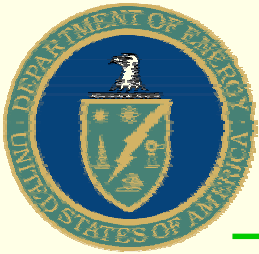




# Outline

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- EPA Act State and Alternative Fuel Provider Program
  - Covered Fleets, Exclusions, and Exemptions
  - Acceptable Acquisitions
  - Current Status/Compliance
  - Enforcement
  - Information Resources



# EPAct Definition of Alternative Fuel

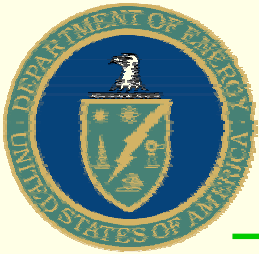
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## **Alternative Fuel**

Methanol, denatured ethanol, and other alcohols containing 85% or more by volume of alcohol with gasoline or other fuels; natural gas (including liquid fuels domestically produced from natural gas); liquefied petroleum gas; hydrogen; coal-derived liquid fuels, fuels (other than alcohol) derived from biological materials; and electricity

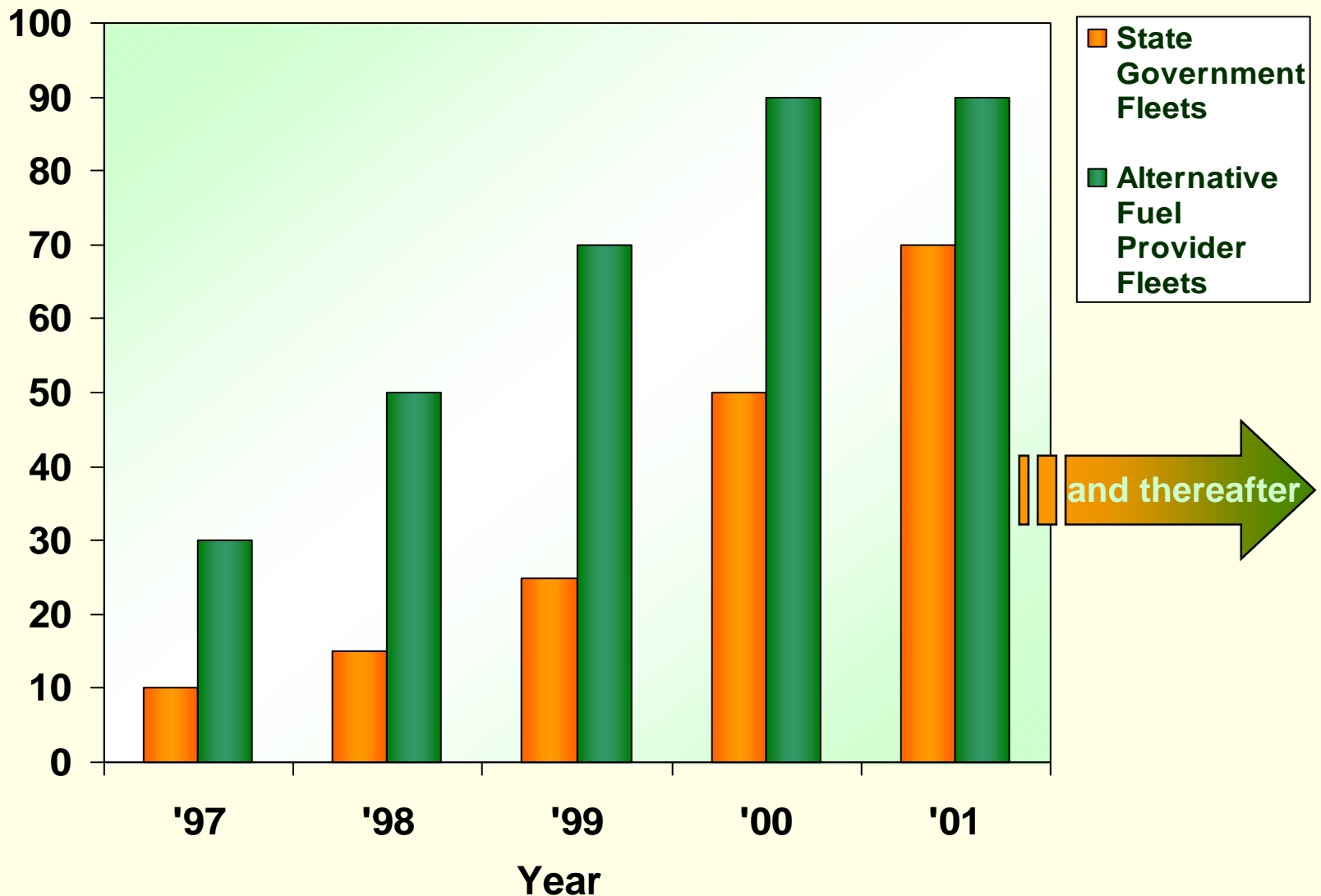
## **Additions (since passage of EPAct)**

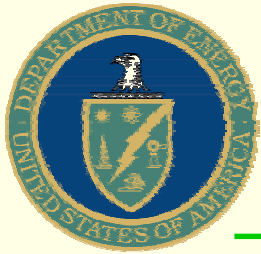
P-Series Fuels, 100% Biodiesel, and Biodiesel purchased for use in MDVs/HDV (B20 or higher)



# State and Alternative Fuel Provider AFV Acquisition Requirements (EPAct)

AFV Acquisition Requirements  
(% of covered vehicles)





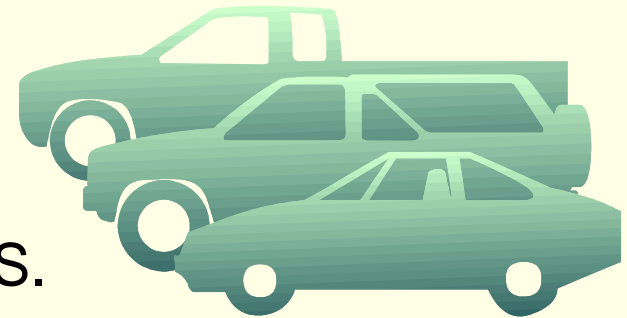
# State and Alternative Fuel Provider Fleets

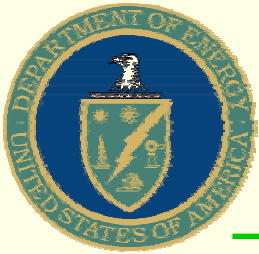
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## Who Is Covered?

### Fleets with:

- **50** or more light-duty vehicles in the U.S.
- **20** or more LDVs in a single MSA/CMSA
  - MSA is metro area with 1980 Census population of **250,000** or more (125 exist in the U.S.)
  - **20** or more vehicles in MSA must be capable of being centrally refueled at least 75% of the time
- Excluded vehicles: law enforcement, emergency, non-road, personal residence, research and testing vehicles...





# Alternative Fuel Provider Fleets

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## Who Is Covered?

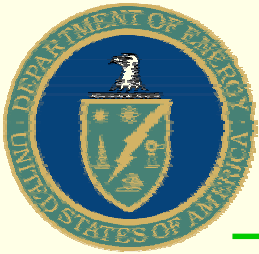
### Organizations for which:

- Alternative fuels are their **principal business**

**OR**

- At least **30% of the gross revenues** are derived from producing, storing, refining, processing, transporting, distributing, importing, or selling at wholesale or retail any alternative fuel

Report using **Form 101** on Web at  
[www.ott.doe.gov/epact/state\\_fleets.html](http://www.ott.doe.gov/epact/state_fleets.html)

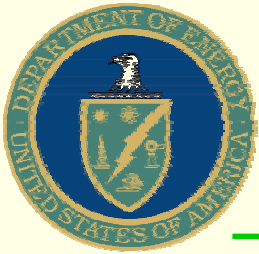


# Alternative Fuel Provider Fleets

## Fuel Use Requirement



- EPA requires alternative fuel providers to use alternative fuels in AFVs where available
  - Fleets that do not use alternative fuel where available will be in violation of the regulation
- If AFVs are available, but NO appropriate alternative fuel is available in normal operating area:
  - Exemption request

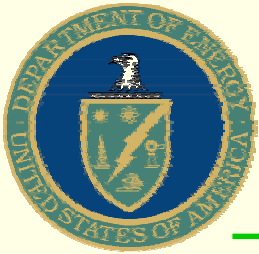


# Exemptions

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## State and alternative fuel provider fleets

- Only if AFVs and/or alternative fuels are not available that meet the fleet's normal business requirements and practices
- For one model year only
- May be granted in whole, part, or rejected
- File exemption request early in model year
  - see guidance on EPA's web site for details

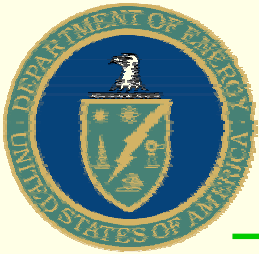


# Acceptable AFV Acquisitions

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- Acquire LDV capable of operating on alternative fuels
- Convert a new LDV to operate on alternative fuels within 4 months of vehicle entering fleet
- Use the fleet's own credits or purchase them from another fleet

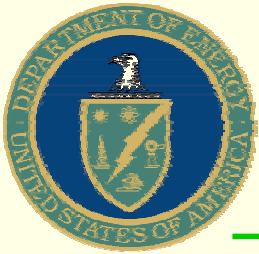




# Heavy- & Medium-Duty Vehicles

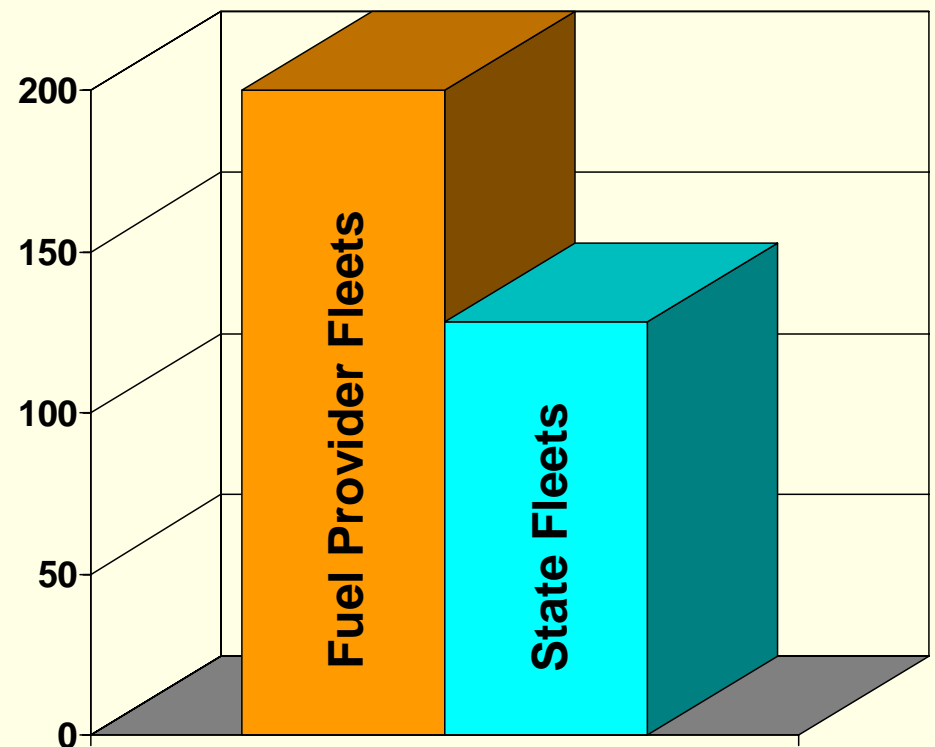


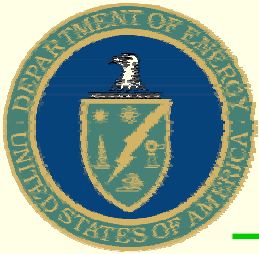
- Credit for acquisitions of alternative fuel heavy- and medium-duty vehicles only after light-duty vehicle requirements are met (one credit/vehicle)
- One credit for every 450 gallons of neat biodiesel purchased for use in blends of 20% or more, during a model year – only allowable in heavy- and medium-duty vehicles
- Biodiesel can only account for up to 50% of annual AFV acquisition requirements – biodiesel fuel providers can use 100%



# State and Alternative Fuel Provider Fleet Overall Status

- 318 covered State and fuel provider fleets on record
- 11,000 AFVs acquired in MY2000 due to program
- $\approx 47,000$  vehicles in DOE compliance database



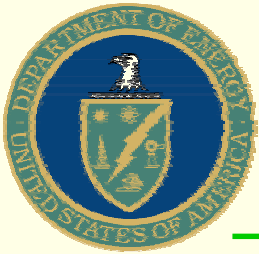


# State and Alternative Fuel Provider Fleet Compliance

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- **MOST** fleets are in compliance
- MY2000, only:
  - ≈400 vehicles short of requirements
  - ≈30 fleets typically 5-10 vehicles short
  - 20 covered fleets have failed to file to date
- 23 exemptions totaling 731 vehicles granted to date
- 1416 credits for biodiesel
- 22 approved credit transfers totaling 610 credits





# State and Alternative Fuel Provider Program Enforcement

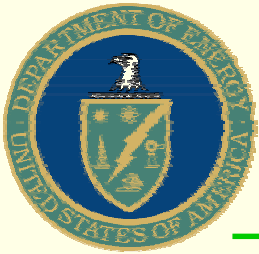
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## GOAL

To maximize state and alternative fuel provider fleet compliance with the reporting, alternative fuel vehicle acquisition, and alternative fuel use requirements of Title V of the Energy Policy Act

## Objectives

- Fleet Identification for Enforcement Action
- Reporting Compliance
- Alternative Fuel Vehicle Acquisition Compliance
- Alternative Fuel Use Compliance



# Enforcement Activities

## Fleet Identification

- Determine fleet status
- Revisit fleets ostensibly not covered
- Prioritize for enforcement action

## Reporting Compliance

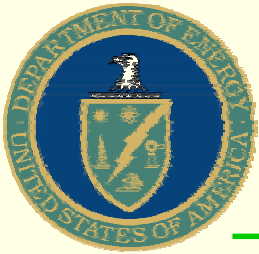
- Reporting requirements – “getting the word out”
- Fleet correspondence/notifications
- Violations
- Negotiated settlements, fines

## AFV Acquisition Compliance

- Compliance monitoring
- Information/guidance
- Coalition building/coordinated AFV deployment
- Audits
- Violations/settlements/fines

## Alternative Fuel Use Compliance

- Compliance monitoring
- Information/guidance
- Coordinated infrastructure deployment
- Audits
- Violations/settlements/fines



# Information Resources

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- **EPAct Fleet Information and Regulations website:** [www.ott.doe.gov/epact/state\\_fleets.html](http://www.ott.doe.gov/epact/state_fleets.html)
- **Regulatory Email:** [regulatory\\_info@afdc.nrel.gov](mailto:regulatory_info@afdc.nrel.gov)
- **Regulatory Line:** (202) 586-9171 or 1-800-832-0885 ext 6917 (specific information on compliance questions)
- **Alternative Fuels Data Center:** [www.afdc.doe.gov](http://www.afdc.doe.gov)
- **National Alternative Fuels Hotline:** (800) 423-1363 (general information)



## Literature (See EPAct website)

- Final Rule
- AFV Reporting Guidance
- Compliance Guidelines (Bluebook)
- Frequently Asked Questions
- Exemptions, biodiesel, and credit trading guidance
- DOE AFV Buyers Guide: [www.fleets.doe.gov](http://www.fleets.doe.gov)

